

## MINUTES



## REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers

Thursday, September 19, 2002, 7:30 P.M.

777 "B" Street, Hayward, CA 94541

### MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Bogue, followed by the Pledge of Allegiance.

### ROLL CALL

Present: COMMISSIONERS Zermeno, McKillop, Sacks, Caveglia, Halliday  
CHAIRPERSON Bogue  
Absent: COMMISSIONER Thnay

Staff Members Present: Anderly, Coneeley, Looney, Patenaude

General Public Present: Approximately 10

### PUBLIC COMMENT

There was no public comment.

### AGENDA

1. **Appeal of the Planning Director's Denial of Administrative Use Permit Application No. PL-2002-0172 – By The Bay Investments (Applicant) / Big "O" Tires (Owner) - Request to Provide Temporary Parking for a Proposed Carl's Jr. Restaurant on an Adjacent Lot – The Property is Located at 28030 Mission Boulevard between Webster and Hancock Streets in the General Commercial (CG) District**
2. **Referral by the Planning Director – PL-2002-0346 Site Plan Review – AT&T Wireless Services, Inc. (Applicant) / Jackson-Amador Associates (Owner) – To Modify an Existing Roof-Top AT&T Wireless Facility - The Property is Located at 153 West Jackson Street at Amador Street in the Neighborhood Commercial (CN) District**

### PUBLIC HEARINGS

1. **Appeal of the Planning Director's Denial of Administrative Use Permit Application No. PL-2002-0172 – By The Bay Investments (Applicant) / Big "O" Tires (Owner) - Request to Provide Temporary Parking for a Proposed Carl's Jr. Restaurant on an Adjacent Lot – The Property is Located at 28030 Mission Boulevard between Webster and Hancock Streets in the General Commercial (CG) District**

This item was continued at the request of the applicant to a date uncertain.

- 2 **Referral by the Planning Director – PL-2002-0346 Site Plan Review – AT&T Wireless**

**DRAFT**

**Services, Inc. (Applicant) / Jackson-Amador Associates (Owner) – To Modify an Existing Roof-Top AT&T Wireless Facility - The Property is Located at 153 West Jackson Street at Amador Street in the Neighborhood Commercial (CN) District**

Planning Manager Anderly indicated that, although the Planning Department has approved various telecommunications applications in the past, they felt more comfortable bringing this to the Planning Commission for comments and recommendations. She then asked Principal Planner Patenaude to describe the application.

Principal Planner Patenaude said the applicant already had an existing roof-top facility on the property but would like to replace the existing facility with three antennas clustered within a radome, as well as a larger equipment box, also on the roof. Staff worked with the applicant to develop various alternatives in order to screen the equipment, and encouraged them to develop an acceptable design and/or alternatives, which would hide or enhance the view of the facility.

Commissioner Zermeño asked whether the extended facility would be able to handle future antennas at the site.

Principal Planner Patenaude responded that the facility could handle additional antennas projected for the location. He then

The public hearing was opened at 7:52 p.m.

Robert J. McCarthy, McCarthy & Schwartz, representing AT&T, noted that there are preexisting antennas already on the building. He indicated that they would be more than happy to reasonably accommodate staff and the wishes of the commission. He noted that they are prepared to do whatever it takes and would accept what the Commission decides.

Kent Woodell, owner of the building, supported the application and suggested perhaps small false chimneys might be built to accommodate the antennas. He said he designed and built the building and believed it would be possible to conceal the antennas from view. He said he would like to see nothing built that is bigger than it has to be.

The public hearing was closed at 7:57 p.m.

Principal Planner Patenaude described the applicant's latest drawing submitted during the meeting, for a longer box-like structure with false windows built to match the building. The applicant described it as a "penthouse."

Commissioner McKillop asked about the number of antennas.

Chairperson Bogue reopened the public hearing for further information at 8:00 p.m.

Wade Rudnick, contracted with AT&T, explained that more radome could be added within the penthouse structure. He noted that a significant amount of antennas could be added.

Commissioner McKillop congratulated the builder on a wonderful building at this location.



Commissioner Halliday asked for further information on how the Ordinance speaks to the subject of radomes. She commented that in looking at the building, perhaps the radomes look better than the large structure.

Principal Planner Patenaude said the intent of the Ordinance is that these telecommunications facilities be compatible with the buildings on which they are located. He commented that another recently approved project from this applicant, hides the antennas behind existing structures on the roof. He said staff was seeking advice and direction from the Commission on what is acceptable when dealing with these structures.

Commissioner Halliday said she might be inclined to recommend something with less density. She commented that she had not noticed the structures on top of the building.

Commissioner Sacks asked staff about the photographs. Mr. McCarthy indicated that the structure with windows is lengthened somewhat from the original "penthouse" proposal.

Commissioner Caveglia **moved**, seconded by Commissioner Zermeño, to find the project categorically exempt from CEQA, and approve the Site Plan Review application, subject to the findings and conditions of approval. He said he did not want to go back to just seeing the antennas. He kind of liked the windows. He added that staff should decide.

Commissioner Halliday indicated that she would prefer not having windows in the structure.

Commissioner Sacks said she would support the motion but was there any way to get rid of the telephone/power pole. She added that she does not like poles or poles on roofs. It is an attractive corner. It should make the building look good. She noted that the penthouse is not out of proportion to the lateral lines of the building.

Commissioner McKillop said she would support the motion and liked the windows.

Commissioner Halliday mentioned moving the structure to be more centrally located on the roof and to the building.

Principal Planner Patenaude said staff would work with the applicant on the details.

Commissioner Zermeño asked whether staff had enough information to continue working with the applicant.

Planning Manager Anderly indicated that staff was reluctant to make a decision without input from the Commission. She thanked them for their comments.

Chairperson Bogue said he liked the applicant's final presentation with the longer unit and windows.

Commissioner Sacks added that she, too, liked the windows.

**The motion passed unanimously, with Commissioner Thnay absent.**

### **ADDITIONAL MATTERS**

#### **3. Oral Report on Planning and Zoning Matters**

Planning Manager Anderly announced a series of upcoming meetings during the month of October.

#### **4. Commissioners' Announcements, Referrals**

Commissioner Zermefio asked about the students in the audience who declined to introduce themselves but said they were from Chabot.

Commissioner Sacks thanked the Planning Commission secretary for a memo regarding dealing with minor corrections to the Minutes.

Commissioner Halliday announced that she would not be at the next meeting. She also discussed the Hayward Library's celebration of the 100<sup>th</sup> anniversary of John Steinbeck's birth. She noted that there would be further discussions on his classic novel, "The Grapes of Wrath," the last Saturday in October led by Commissioner Caveglia.

### **ADJOURNMENT**

The meeting was adjourned by Chairperson Bogue at 8:18 p.m.

**APPROVED:**

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Barbara Sacks, Secretary  
Planning Commission

**ATTEST:**

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Edith Looney  
Commission Secretary